UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,605	01/21/2000	William J. ~~~	STL000023US1	6038

			EXAMINER
23373	7590	04/21/2004	NGUYEN, CAM LINH T

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ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 04/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/489,605	BAER ET AL.
	Examiner	Art Unit
	CamLinh Nguyen	2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 March 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *29*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendments to claim 1 – 20 are acknowledged. Consequently,

claims 1 – 20 are currently pending.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1 – 18 are rejected under 35 U.S.C. 102(e) as being anticipated by

Reynolds et al (U.S. 6,411,993).

♦ As per claims 1, 6, 11,

Reynolds et al discloses a method for facilitating creation and manipulation of

compilations of content selected by a user, comprising:

- "Providing a functional layer for interfacing over a network with a user interface

    and interfacing with a data repository containing a plurality of content entities."

    See Fig. 3. In particular:

    • "A functional layer" corresponds to the "Ibook server application 64"

    • "Interfacing over a network" corresponds to the "data network 52"

- • "A user interface" corresponds to the "client 54, 58, 60"

- • "Interfacing with a data repository containing a plurality of content entities"

  corresponds to "databases 66 – 76"

- " The functional layer comprising a plurality of function modules, each function

  pertaining to the creation or manipulation of a compilation of content." The Ibook

  server application 64 handles different functions such as directs the overall

  operation of Ibook databases 66 – 72 (col. 5 lines 23 – 28), enrollment functions,

  downloading tools to the user (col. 5 lines 67 – col. 6 lines 6), generating a

  viewer ID (col. 6 lines 32 – 33); therefore, the server must include plurality of

  modules to handle these functions.

- " The plurality of function modules receives request from the user via the user

  interface and returns information concerning the compilation of content" See Fig.

  9, in particular:

  - • "Request from the user" corresponds to the "request desired passage from

    server" element 200 in Fig. 9 col. 11 lines 34 – 43.

  - • "The user interface" corresponds to the interface shown in Fig. 8.

  - • "Returns information concerning the compilation of content" Fig. 9,

    element 206, col. 11 lines 43 – 45.

- ♦ As per claims 2 - 3, 7 – 8, 12 – 13,

  - "One of the function modules creates a list of content entity identifiers defining

    the content and order of a compilation." See col. 9 lines 36 – 50. The server

    application 64 cause information to be stored in databases including the

identities, time/date which identify the order of information also can be stored.

When the user view the information, this information can represents as a list (col.

10 lines 45 – 57. The server also can provide an index that to be stored in

database (col. 14 lines 46 – 51), or a list (col. 15 lines 54 – 60).

- " At least one function module manipulates the list to redefine the content" See

  col. 12 lines 9 – 11.

♦ As per claims 4 – 5, 9 – 10, 14 – 15,

- "The compilation is hierarchically structured and wherein on of the function

  modules creates an outline of containers and content entity identifiers." Reynolds

  teaches, "Various techniques may be used to represent the contents of ibook

  Web pages (e.g., the ibook Web pages in ibook Web pages database 76). For

  example, ibook Web pages may be represented by static data. Alternatively,

  ibook Web pages may be represented by code that is capable of generating the

  Web page contents, e.g., code that generates the entries of a table or list." See

  col. 15 lines 54 – 60. Therefore, the compilation can also represent as a

  hierarchically structured.

- A "list" corresponds to the "outline."

♦ As per claims 16 – 18,

- " One of the function modules calculates a price for the compilation of content"

  See Fig. 10, col. 12 lines 4 – 22.

♦ As per claims 19 – 20,

- " The plurality of content entities comprise catalogs of data stored in the data

  repository" See Fig. 2.

- " Said containers comprise at least one book having at least one volume and at

  least one chapter" See col. 3, lines 51 – 62.

Response to Arguments

1.   Applicant's arguments filed 03/24/2004 have been fully considered but they are

not persuasive.

◆ As per claim 1,

- Applicant argues that the Reynolds reference discloses only one content

  entity, not a plurality of content entities used by a user for the compilation

  of content. The Examiner respectfully disagrees.

Applicant admits that database 76 stores lbook web pages (page 8, second

paragraph). Each web page is considered as an entity. There are plurality of

web pages in that database (See Fig. 2). Therefore, the database 76 is a

content that stores plurality of entities.

- Applicant argues that Reynolds does not disclose that the content forming

  the compilation is selected from database 76, since database 76 stores

  data, which has already been selected for inclusion in an lbook.

  Accordingly, database 76 does not contain content that a user selects for

  inclusion in the complication. The Examiner respectfully disagrees.

Referring to col. 15, lines 56 – 60, Reynolds teaches that the web page can

be represented by code or static data. At col. 7, lines 1 – 13, a contributor

may create a new material based on existing material, using plurality of tools.

Therefore, when the contributor derives information from the content using

derivation tool, the result or content must be in the form of compilation of

content.

- Applicant argues that Reynolds does not disclose that the server does not

    include a plurality of modules as cited in claim 1. The Examiner

    respectfully disagrees.

As noted above, a contributor may create a new material based on existing

material, using plurality of tools (col. 7, lines 1 – 13), such as derivation,

linking, editing tools. These tools correspond to plurality of modules that

handle different function.

♦ As per claim 2,

- Applicant argues that Reynolds does not disclose the identity of a

    passages' creator identifies a content entity. The Examiner respectfully

    disagrees.

Referring to col. 9, lines 35 – 55, Reynolds clearly discloses the authoring tool

identifies the web page, and also identifies passage characteristics include

the identity of the passage's contributor, the time and data of passage

creation.

♦ As per claim 3,

- Applicant argues that Reynolds does not disclose at least one of the

    function modules manipulates the list of content entity identifiers to

redefine the content or order of the compilation. The Examiner respectfully

disagrees.

Referring to col. 15, lines 56 – 60, Reynolds teaches that the web page can

be represented by code or static data. At col. 7, lines 1 – 13, a contributor

may create a new material based on existing material, using plurality of tools.

Therefore, when the contributor derives information from the content using

derivation tool, the result or content must redefine the content of the

compilation.

Conclusion

2.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is 305-1951. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN

WAYNE AMSBURY
PRIMARY PATENT EXAMINER